



Practitioner's Docket No. 1436/139

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Applicant:	Hoarty	Atty Dkt:	1436/139
Serial No:	09/475,719	Art Unit:	2611
Date Filed:	December 30, 1999	Examiner:	Huynh, S.P.
Invention:	Home Interface Controller		

**Commissioner for Patents  
Washington, D.C. 20231****INFORMATION DISCLOSURE STATEMENT**

**CERTIFICATE UNDER 37 C.F.R. § 1.8(a) and 1.10\***  
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Express Mail certification is optional.)

I hereby certify that this correspondence is, on the date shown below, being:

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**37 C.F.R. § 1.8(a)****37 C.F.R. § 1.10\***

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- ☐ transmitted by facsimile to the Patent and Trademark Office

Date: November 8, 2002

  
SignatureRobert M. Asher

(type or print name of person certifying)

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

**NOTE:** The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O. G. 13-25 at 17.

**WARNING:** "No information disclosure statement maybe filed in a provisional application." 37 C.F.R. § 1.51(d).

### List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:  
(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☐ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

**NOTE:** "Once the minimum requirements are met the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

**Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

In re application of: Hoarty

Application No.: 09/475,719

Group Art Unit: 2611

Filed: December 30, 1999

Examiner: Huynh, S.P.

For: Home Interface Controller

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE STATEMENT

United States Patents

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/ Subclass
<u>AA</u>	4,077,006		Feb. 28, 1978	Nicholson	325/308
<u>AB</u>	4,245,245		Jan. 13, 1998	Matsumoto et	358/12
<u>AC</u>	4,247,106		Jan. 27, 1981	Jeffers et al.	273/85
<u>AD</u>	4,253,114		Feb. 24, 1981	Tang et al.	358/114
<u>AE</u>	4,264,924		Apr. 28, 1981	Freeman	358/86
<u>AF</u>	4,302,771		Nov. 24, 1981	Gargini	358/86
<u>AG</u>	4,454,538		Jun. 12, 1984	Toriumi	358/86
<u>AH</u>	4,509,073		Apr. 2, 1985	Baran et al.	358/86
<u>AI</u>	4,536,791		Aug. 20, 1985	Campbell et al.	358/122
<u>AJ</u>	4,538,174		Aug. 27, 1985	Gargini et al.	358/86
<u>AK</u>	4,573,072		Feb. 25, 1986	Freeman	358/86
<u>AL</u>	4,591,906		May 27, 1986	Morales-Garza et al.	358/84
<u>AM</u>	4,602,279		Jul. 22, 1986	Freeman	358/86
<u>AN</u>	4,633,462		Dec. 30, 1986	Stifle et al.	370/85
<u>AO</u>	4,709,418		Nov. 24, 1987	Fox et al.	455/612
<u>AP</u>	4,801,190		Jan. 31, 1989	Imoto	350/96.16
<u>AQ</u>	4,829,372		May 9, 1989	McCalley et al.	358/86
<u>AR</u>	4,847,700		Jul. 11, 1989	Freeman	358/343
<u>AS</u>	4,918,516		Apr. 17, 1990	Freeman	358/86
<u>AT</u>	<del>4,947,244</del>		<del>Aug. 7, 1990</del>	<del>Fenwick et al.</del>	358/86
<u>AU</u>	4,994,909		Feb. 19, 1991	Graves et al.	358/86
<u>AV</u>	5,027,400		Jun. 25, 1991	Baji et al.	380/20
<u>AW</u>	5,093,718		Mar. 3, 1992	Hoarty et al.	358/84
<u>AX</u>	5,109,414		Apr. 28, 1992	Harvey et al.	380/9
<u>AY</u>	5,172,413		Dec. 15, 1992	Bradley et al.	380/20
<u>AZ</u>	5,191,410		Mar. 2, 1993	McCalley et al.	358/86

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/ Subclass
<del>AM</del> BA	5,220,420		Jun. 15, 1993	Hoarty et al.	358/86
<del>AM</del> BB	5,236,199		Aug. 17, 1993	Thompson, Jr.	273/439
<del>AM</del> BC	5,319,455		Jun. 7, 1994	Hoarty et al.	348/7
BD	5,359,601		Oct. 25, 1994	Wasilewski et al.	370/73
BE	5,371,532		Dec. 6, 1994	Gelman et al.	348/7
BF	5,418,559		May 23, 1995	Blahut	348/10
BG	5,442,389		Aug. 15, 1995	Blahut et al.	348/7
BH	5,442,390		Aug. 15, 1995	Hooper et al.	348/7
BI	5,557,316		Sep. 17, 1996	Hoarty et al.	348/7
BT	3,889,050		Jun. 10, 1975	Thompson	178/5.1
BU	3,934,079		Jan. 20, 1976	Barnhart	178/5.1
BV	3,997,718		Dec. 14, 1976	Ricketts et al.	178/6.8
BW	4,002,843		Jan. 11, 1977	Rackman	179/15 AL
BX	4,186,438		Jan. 29, 1980	Benson et al.	364/200
BY	4,264,924		Apr. 28, 1981	Freeman	358/86
BZ	4,264,925		Apr. 28, 1981	Freeman et al.	358/86
CA	4,290,142		Sep. 15, 1981	Schnee et al.	455/3
CB	4,350,980		Sep. 21, 1982	Ward	340/870.02
CC	4,367,557		Jan. 4, 1983	Stern et al.	455/4
CD	4,450,477		May 22, 1984	Lovett	358/86
CE	4,475,123		Oct. 2, 1984	Dumbauld et al.	358/114
CF	4,491,983		Jan. 1, 1985	Pinnow et al.	455/612
CG	4,506,387		Mar. 19, 1985	Walter	455/612
CH	4,507,680		Mar. 26, 1985	Freeman	358/86
CI	4,533,948		Aug. 6, 1985	McNamara et al.	358/122
CJ	4,538,176		Aug. 27, 1985	Nakajima et al.	358/86
CK	4,554,581		Nov. 19, 1985	Tentler et al.	358/120
CL	4,616,263		Oct. 7, 1986	Eichelberger	358/185
CM	4,625,235		Nov. 25, 1986	Watson	358/86
CN	4,627,105		Dec. 2, 1986	Ohashi et al.	455/612
CO	4,695,880		Sep. 22, 1987	Johnson et al.	455/5
CP	4,706,121		Nov. 10, 1987	Young	358/142
CQ	4,710,971		Dec. 1, 1987	Nozaki et al.	455/17
CR	4,734,764		Mar. 29, 1988	Pocock et al.	358/86
CS	4,750,036		Jun. 7, 1988	Martinez	358/147
CT	4,760,442		Jul. 26, 1988	O'Connell et al.	358/86
CU	4,792,849		Dec. 20, 1988	McCalley et al.	358/86
CV	4,821,102		Apr. 11, 1989	Ichikawa et al.	358/183
CW	4,823,386		Apr. 18, 1989	Dumbauld et al.	380/13
CX	4,829,558		May 9, 1989	Welsh	372/92
CY	4,847,698		Jul. 11, 1989	Freeman	358/343
<del>AM</del> CZ	4,847,699		Jul. 11, 1989	Freeman	358/343

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/ Subclass
<del>AM</del> DA	4,860,379		Aug. 22, 1989	Schoeneberger et al.	455/5
<del>AM</del> DB	4,864,613		Sep. 5, 1989	Van Cleave	380/10
<del>AM</del> DC	4,890,320		Dec. 26, 1989	Monslow et al.	380/10
<del>AM</del> DD	4,901,367		Feb. 13, 1990	Nicholson	455/5
<del>AM</del> DE	4,903,126		Feb. 20, 1990	Kassatly	358/146
<del>AM</del> DF	4,905,094		Feb. 27, 1990	Pocock et al.	358/342
<del>AM</del> DG	4,912,760		Mar. 27, 1990	West, Jr. et al.	380/7
<del>AM</del> DH	4,941,040		Jul. 10, 1990	Pocock et al.	358/86
<del>AM</del> DI	4,975,771		Dec. 4, 1990	Kassatly	358/146
<del>AM</del> DJ	4,995,078		Feb. 19, 1991	Monslow et al.	380/10
<del>AM</del> DK	5,008,934		Apr. 16, 1991	Endoh	380/15
<del>AM</del> DL	5,014,125		May 7, 1991	Pocock et al.	358/86
<del>AM</del> DM	5,119,188		Jun. 2, 1992	McCalley et al.	358/86
<del>AM</del> DN	5,130,792		Jul. 14, 1992	Tindell et al.	358/85
<del>AM</del> DO	5,136,411		Aug. 4, 1992	Paik et al.	359/125
<del>AM</del> DP	5,231,494		Jul. 27, 1993	Wachob	358/146
<del>AM</del> DQ	5,321,514		Jun. 14, 1994	Martinez	348/723
<del>AM</del> DR	5,355,162		Oct. 11, 1994	Yazolino et al.	348/11
<del>AM</del> DS	5,404,393		Apr. 4, 1995	Remillard	379/96
<del>AM</del> DT	5,412,720		May 2, 1995	Hoarty	380/15
<del>AM</del> DU	5,422,674		Jun. 6, 1995	Hooper et al.	348/409
<del>AM</del> DV	5,446,490		Aug. 29, 1995	Blahut et al.	348/7
<del>AM</del> DW	5,469,283		Nov. 21, 1995	Vinel et al.	359/118
<del>AM</del> DX	5,526,034		Jun. 11, 1996	Hoarty et al.	348/7
<del>AM</del> DY	5,539,449		Jul. 23, 1996	Blahut et al.	348/7
<del>AM</del> DZ	5,548,340		Aug. 20, 1996	Bertram	348/559
<del>AM</del> EA	5,550,578		Aug. 27, 1996	Hoarty et al.	348/7
<del>AM</del> EB	5,561,708		Oct. 1, 1996	Remillard	379/96
<del>AM</del> EC	5,587,734		Dec. 24, 1996	Lauder et al.	348/10
<del>AM</del> ET	4,789,863		Dec. 1998	Bush	
<del>AM</del> EU	4,816,905		March. 1999	Tweety et al.	

#### Foreign Patents and Applications

Examiner Initials	Reference Number	Document Number	Filing or Issue Date	Country
<del>AM</del> BI	<del>EP 0 477 786 A2</del>	<del>EP 0 477 786 A2</del>	<del>Apr. 1, 1992</del>	<del>European</del>
<del>AM</del> BK	<del>FR 2 529 739</del>	<del>FR 2 529 739</del>	<del>Jan. 6, 1984</del>	<del>France</del>
<del>AM</del> BL	<del>JP 63-33988</del>	<del>JP 63-33988</del>	<del>Feb. 13, 1988</del>	<del>Japan</del>
<del>AM</del> BM	<del>WO 82/02303</del>	<del>WO 82/02303</del>	<del>July 8, 1982</del>	<del>World</del>
<del>AM</del> BN	<del>WO 90/13972</del>	<del>WO 90/13972</del>	<del>Nov. 15, 1990</del>	<del>World</del>
<del>AM</del> BO	<del>WO 95/15658</del>	<del>WO 95/15658</del>	<del>June 8, 1995</del>	<del>World</del>

and  
9/14/05

Examiner Initials	Reference Number	Document Number	Filing or Issue Date	Country
<u>AN</u>	ED	682,776	Mar. 24, 1964	Canada
<u>AN</u>	EE	WO 89/08967	Sep. 21, 1989	World
<u>AN</u>	EF	WO 90/13972	Nov. 15, 1990	World
<u>AN</u>	EG	WO 93/22877	Nov. 11, 1993	World
<u>AN</u>	EH	WO 95/15638	Jun. 8, 1995	World
<u>AN</u>	EI	0 419 137 B1	Dec. 6, 1995	European

#### Other Publications

- AN BP "The Smart Headend - A Novel Approach to Interactive Television", W. Lee Hoarty, Montreux Int'l TV Symposium, 6/9/95
- AN BQ "Two-Way Applications for Cable Television Systems in the 70's", Jurgen, IEEE Spectrum, 11/1971, pp. 39-52
- AN BR Insight - brochure
- and  
9/14/05 AN BS "Tapped Fiber vs. Fiber Reinforced Coaxial CATV Systems: A Comparison of Evolutionary Paths", Large, David, IEEE LCS Magazine, Feb. 1990, pp. 12-18
- AN EJ "Photonics for cable television system design, Migrating to regional hubs and passive networks", by Stephen D. Dukes, Communications Engineering and Design, May, 1992
- AN EK "Video on Demand Without Compression: a Review of the Business Model, Regulation and Future Implication", by Jack A. M. Van der Star
- AN EL "Distributed Switching for Data Transmission over Two-Way CATV", by Farek N. Saadawi, Senior Member, IEEE, and Mischa Schwartz, Fellow, IEEE, 1985
- AN EM "Proposal for a Hub Controlled Cable Television System Using Optical Fiber", by Clifford B. Schrock, IEEE Transactions on Cable Television, Vol. CATV-4, No. 2., April 1979
- AN EN "An Integrated Network Using Fiber Optics (Info) for the Distribution of Video, Data, and Telephone in Rural Areas", by N. Toms, IEEE Transactions on Communications, vol. com-26, no. 7, July 1978, pp. 1037-45
- AN EO "Design of a Switched Broad-Band Communications Network for Interactive Services", by K. Rose and R. K. Stevens, IEEE Transactions on Communications, vol. com-23, no. 1, Jan. 1975, pp. 49-55

Au EP "INDAX: An Operational Interactive Cabletext System", by M.S. Ellis et al., IEEE Journal on Selected Areas in Communications, vol. sac-1, no. 2, Feb. 1983, pp. 285-94.

Au EQ "The Broadband solution - Metropolitan CATV Networks", Proceedings of Videotex '84, Apr. 1984, all pages

Au ER "ARIDEM - a multi-service broadband access demonstrator", Gerhard Gobl et al., Ericsson Review No. 3, 1996

Au ES "Picture Signal Supply System", Michio Kuribayash, Feb. 13, 1988

Am2 9/14/05

Examiner Signature: \_\_\_\_\_

Am2

Date Considered: \_\_\_\_\_

12/30/03

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

#### **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited**

**NOTE:** "A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120." 37 C.F.R. § 1.98(d).

**WARNING:** "This exception to the requirement for copies of information does not apply to information which was cited in an international application under the Patent Cooperation Treaty." Notice of April 20, 1992 (1138 O.G. 37-41, 38)

**WARNING:** "Information which is cited or submitted to the Office in the parent application of a file wrapper continuing application under 37 C.F.R. 1.62 will be part of the file before the examiner and need not be resubmitted in the continuing application. Likewise, the examiner will consider information cited or submitted to the Office in a parent application when examining a continuing application and thus this information need not be resubmitted unless applicant desires the information to be printed on the patent." Notice of April 20, 1992 (1138 O.G. 37-41, 37)

**WARNING:** While a copy of a non-English language item of information need not be submitted, if it was previously submitted to, or cited by, the Office in a prior application, provided it is properly identified in this statement and this application relies on that earlier filing date under 35 U.S.C. 120, nevertheless, the requirement in § 1.98(a)(3) for a concise explanation of non-English language information would not be satisfied by a statement that a reference was cited in the prosecution of a parent application. The concise explanation must explain the relevance, as presently understood by the person designated in § 1.56(c) most knowledgeable about the content of the information. Notice of January 9, 1992, 1135 O.G. 13-25, at 20.

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application issued as U.S. Patent No. 6,100,883 on August 8, 2000.

(complete the following, if applicable)

The following references were submitted to, and /or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

AA-ES

**Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this statement is

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type or print name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
(type or print name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☐ supplied by the inventor(s).
- ☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
- ☒ in the practitioner's file.

Reg. No.: 30,445

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\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

Robert M. Asher  
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